

Appendix A - Claims

1. (Canceled)
2. (Rejected) An adjustable keyboard tray for use with a center mount bracketing mechanism that is secured to and translates in and out from a horizontal surface, the adjustable keyboard tray comprising:
 - a top plate made of polymeric material;
 - a bottom plate made of polymeric material that is secured to the top plate; and
 - a mounting plate that secures the adjustable keyboard tray to the bracketing mechanism, wherein the mounting plate is secured to a bottom surface of the bottom plate of the adjustable keyboard tray in a recessed mounting area of the bottom plate to maintain a substantially smooth outer surface along the bottom plate.
3. (Allowed) An adjustable keyboard tray for use with a center mount bracketing mechanism that is secured to and translates in and out from a horizontal surface, the adjustable keyboard tray comprising:
 - a top plate made of polymeric material;
 - a bottom plate made of polymeric material that is secured to the top plate; and
 - a mounting plate that secures the adjustable keyboard tray to the bracketing mechanism, wherein the mounting plate is secured to the adjustable keyboard tray by a retaining bracket, such that the adjustable keyboard tray can slide in a lateral direction substantially perpendicular to the direction of translation by the bracketing mechanism.
4. (Allowed) The adjustable keyboard tray of claim 3, wherein the retaining bracket is mounted to a recessed mounting area formed along a bottom surface of the bottom plate creating a channel therebetween that secures the mounting plate therein and allows the mounting plate to slide thereon, the retaining bracket including a central opening through which the mounting bracket is mounted to the bracketing mechanism and maintaining a substantially smooth outer bottom surface of the adjustable keyboard tray.

5. (Allowed) The adjustable keyboard tray of claim 4, and further comprising:
a thumb screw aligned to contact and lock the mounting plate in place with respect to the adjustable keyboard tray to prevent lateral movement of the adjustable keyboard tray with respect to the bracketing mechanism.
6. (Rejected) The adjustable keyboard tray of claim 2 or claim 3, wherein a cavity is formed between the top and the bottom plates.
7. (Objected To) The adjustable keyboard tray of claim 6, wherein the top and the bottom plates include a series of inner walls along their opposed facing surfaces within the cavity.
8. (Objected To) The adjustable keyboard tray of claim 7, wherein the top plate and the bottom plate are ultrasonic welded along a set of the inner walls.
9. (Objected To) The adjustable keyboard tray of claim 7, wherein the series of inner walls within the cavity creates a pocket along a side of the adjustable keyboard tray that is aligned with an opening through the side of the adjustable keyboard tray to receive and secure therein a mouse bracket which supports a mouse platform.
10. (Objected To) The adjustable keyboard tray of claim 9, wherein the mouse bracket is releasably secured in the pocket by a tab which extends out from one of the inner walls that creates the pocket and is received in a slot on the mouse bracket.
11. (Canceled)

12. (Rejected) The adjustable keyboard tray of claim 13 or claim 14, wherein the mouse bracket is releasably secured in the pocket by a tab which extends out from one of the inner walls that creates the pocket and is received in a slot on the mouse bracket.

13. (Rejected) An adjustable keyboard tray for use with a bracketing mechanism that is secured to and translates in and out from a horizontal surface, the adjustable keyboard tray comprising:

- a top plate made of polymeric material;

- a bottom plate made of polymeric material that is secured to the top plate;

- a cavity between the top plate and the bottom plate;

- a series of inner walls that extend from the top and the bottom plates along their opposed facing surfaces, wherein the inner walls create an inner pocket along a side of the adjustable keyboard tray;

- an opening along the side the adjustable keyboard tray that is aligned with the pocket to provide access therein;

- a mouse bracket that supports a mouse platform, wherein the mouse bracket is inserted into the opening and is received and secured in the pocket; and

- a mounting plate that secures the adjustable keyboard tray to the bracketing mechanism, wherein the mounting plate is secured to a bottom surface of the bottom plate of the adjustable keyboard tray in a recessed mounting area of the bottom plate to maintain a substantially smooth outer surface along the bottom plate.

14. (Allowed) An adjustable keyboard tray for use with a bracketing mechanism that is secured to and translates in and out from a horizontal surface, the adjustable keyboard tray comprising:

- a top plate made of polymeric material;

- a bottom plate made of polymeric material that is secured to the top plate;

a cavity between the top plate and the bottom plate;
a series of inner walls that extend from the top and the bottom plates along their opposed facing surfaces, wherein the inner walls create an inner pocket along a side of the adjustable keyboard tray;
an opening along the side the adjustable keyboard tray that is aligned with the pocket to provide access therein;
a mouse bracket that supports a mouse platform, wherein the mouse bracket is inserted into the opening and is received and secured in the pocket; and
a mounting plate that secures the adjustable keyboard tray to the bracketing mechanism, wherein the mounting plate is secured to the adjustable keyboard tray by a retaining bracket, such that the adjustable keyboard tray can slide in a lateral direction substantially perpendicular to the direction of translation by the bracketing mechanism.

15. (Allowed) The adjustable keyboard tray of claim 14, wherein the retaining bracket is mounted to a recessed mounting area formed along a bottom surface of the bottom plate creating a channel therebetween that secures the mounting plate therein and allows the mounting plate to slide thereon, the retaining bracket including a central opening through which the mounting bracket is mounted to the bracketing mechanism and maintaining a substantially smooth outer bottom surface of the adjustable keyboard tray.

16. (Allowed) The adjustable keyboard tray of claim 15, and further comprising:

a thumb screw aligned to contact and lock the mounting plate in place with respect to the adjustable keyboard tray to prevent lateral movement of the adjustable keyboard tray with respect to the bracketing mechanism.

17. (Allowed) The adjustable keyboard tray of claim 14, wherein the top plate is secured to the bottom plate by ultrasonic welding along a set of the inner walls.

18. (Canceled)

19. (Allowed) The adjustable keyboard tray of claim 20, wherein the top plate is secured to the bottom plate by ultrasonic welding along a set of the inner walls.

20. (Allowed) An adjustable keyboard tray for use with a center mount bracketing mechanism that is secured to and translates in and out from a horizontal surface, the adjustable keyboard tray comprising:

- a top plate made of polymeric material;

- a bottom plate made of polymeric material that is secured to the top plate;

- a retaining bracket that is secured to the bottom plate in a manner that creates a channel
between the retaining bracket and the bottom plate;

- a central opening in the retaining bracket; and

- a mounting plate that is secured in the channel between the retaining bracket and the bottom plate, wherein the mounting plate secures the adjustable keyboard tray to the bracketing mechanism through the central opening in the retaining bracket and slides along the channel such that the adjustable keyboard tray can slide in a lateral direction substantially perpendicular to the direction of translation by the bracketing mechanism, wherein the retaining bracket is mounted to a recessed mounting area formed along a bottom surface of the bottom plate to maintain a substantially smooth outer bottom surface of the adjustable keyboard tray.

21. (Allowed) The adjustable keyboard tray of claim 20, and further comprising:

a thumb screw aligned to contact and lock the mounting plate in place with respect to the adjustable keyboard tray to prevent lateral movement of the adjustable keyboard tray with respect to the bracketing mechanism.

22. (Allowed) The adjustable keyboard tray of claim 20, wherein a cavity is formed between the top and the bottom plates.

23. (Allowed) The adjustable keyboard tray of claim 22, wherein the top and the bottom plates include a series of inner walls along their opposed facing surfaces within the cavity.

24. (Allowed) The adjustable keyboard tray of claim 23, wherein the top plate and the bottom plate are ultrasonic welded along a set of the inner walls.

25. (Allowed) The adjustable keyboard tray of claim 23, wherein the series of inner walls within the cavity creates a pocket along a side of the adjustable keyboard tray that is aligned with an opening through the side of the adjustable keyboard tray to receive and secure therein a mouse bracket which supports a mouse platform.

26. (Allowed) The adjustable keyboard tray of claim 25, wherein the mouse bracket is releasably secured in the pocket by a tab which extends out from one of the inner walls that creates the pocket and is received in a slot on the mouse bracket.

27. (Allowed) A method of repositioning an adjustable keyboard tray in a lateral direction substantially perpendicular to a center mount bracketing mechanism that is secured to a horizontal surface at one end and the adjustable keyboard tray at an opposite end, the method comprising:

pulling the adjustable keyboard out from under the horizontal surface, causing the bracketing mechanism to translate out from under the horizontal surface, wherein the adjustable keyboard tray has a top and a bottom plate that are bonded together;

loosening a screw that passes through a through hole in the top plate and is retained in a threaded bore formed in the bottom plate, so that the screw does not prevent lateral movement of the adjustable keyboard tray ;

repositioning the adjustable keyboard tray in the lateral direction until the adjustable keyboard tray is in a desired position; and

tightening the screw by driving it through the threaded bore until it prevents lateral movement of the adjustable keyboard tray.

28. (Rejected) The adjustable keyboard tray of claim 2, wherein the top and bottom plates are secured together by ultrasonic welding.

29. (Allowed) The adjustable keyboard tray of claim 3, wherein the top and bottom plates are secured together by ultrasonic welding.

30. (Rejected) An adjustable keyboard tray for use with a center mount bracketing mechanism that is secured to and translates in and out from a horizontal surface, the adjustable keyboard tray comprising:
a top plate made of polymeric material;

a bottom plate made of polymeric material that is secured to the top plate such that the top and bottom plates form a cavity therebetween;
wherein the top and bottom plates include a plurality of inner walls along their opposed facing surfaces that are ultrasonically welded together; and
a mounting plate that secures the adjustable keyboard tray to the bracketing mechanism.

31. (Rejected) The adjustable keyboard tray of claim 30, wherein the series of inner walls within the cavity creates a pocket along a side of the adjustable keyboard tray that is aligned with an opening through the side of the adjustable keyboard tray to receive and secure therein a mouse bracket which supports a mouse platform.

32. (Rejected) The adjustable keyboard tray of claim 30, wherein the mouse bracket is releasably secured in the pocket by a tab which extends out from one of the inner walls that creates the pocket and is received in a slot on the mouse bracket.

Appendix B - Evidence

References Relied Upon By Examiner (copies attached)

U.S. Patent No. 4,616,798 (Smeenge et al.)

U.S. Patent No. 5,732,910 (Martin)

U.S. Patent No. 5,830,552 (Meier et al.)

Table of Cases

In re Royka, 490F.2d 981, 180 U.S.P.Q. (BNA) 580 (C.C.P.A. 1974)

In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d (BNA) 1596 (Fed. Cir. 1988)

[General Notes]

Brief must be filed within 2 months from the date of the notice of appeal under sec. 41.31 even if the time allowed for reply to the action from which the appeal was taken is later. 37 CFR 41.37. Brief must be filed no later than 2 months from the latest filing date of the last-filed notice of appeal or cross appeal, or, if any party to the proceeding is entitled to file an appeal or cross appeal but fails to timely do so, no later than two months from the expiration of the time for filing (by the last party entitled to do so) such notice of appeal or cross appeal. The time for filing an appellant's brief or an amended appellants' brief may not be extended. 37 CFR 41.66.

Fee must be submitted with brief.